



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,364	03/29/2001	Tatsunori Kanai	205272US2RD	2719

22850 7590 03/12/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,364

Applicant(s)

KANAI ET AL.

Examiner

Susan Y Chen

Art Unit

2171

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This is in response to the amendment filed on 12/23/2004.
2. Claims 1 - 20, are pending for examination, claims 1-2, 4-10 and 12-20 have been amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-20, are rejected under 35 U.S.C. 102(b) as being anticipated by Kenner et al. (U.S. Patent No. 5,956,716).

As to claims 1, 7-9, 12-14, and 17-20, Kenner et al. (hereinafter referred as Kenner) discloses a computer system [e.g., see Abstract, Fig. 1] with apparatus, methods and computer program products as claimed by applicant, to perform the following processing, comprising:

a multimedia data storage and retrieval system [e.g., see Fig. 1 and associated text starting at col. 4, line 35] with means, methods and computer program product to perform the following functions, comprising:

Art Unit: 2171

* a plurality of data management units [for example, the Primary Index Manager (PIM 22, Fig. 1), Remote Index Manager (IM 34, Fig. 1), PIM & IM(s) of Fig. 3; the Software Modules and Database Partition Units of Table 1] for managing a plurality of multimedia data in relation to a time [e.g., the queuing period at col. 25, lines 45-54] and location information [e.g., a virtual URL issued by a user at col. 24, lines 50 - 53] respectively indicating a time [e.g. the Date and Time fields of the table at col. 22] and a location [e.g., the Segment Info and Link Info fields of the table at col. 22] at which each multimedia data is created [e.g., col. 4, lines 35-53, col. 15, lines 35- 56, Fig. 3, col. 24, lines 53-58, col. 25, lines 1-54];

* a plurality of data processing units configured [e.g., the sets of Search and Retrieval Units (SRUs), PIM & IM(s), Terminal and Data Sequencing Interface (DSI) units, Fig. 3; col. 4, line 55 - col. 5, line 8] to obtain the time [e.g., see the date and time parameters in the table of col. 22] and location information [e.g., the Segment Info and Link Info fields of the table at col. 22; or the Regional Identifier (col. 4, lines 58-59), the Location Code (col. 15, lines 24-56)] in respond to a user request by using event names [e.g. the Video ID in the tables of col. 21 – 22 or col. 32, lines 37-39; the virtual URL requested by a user at col. 24, lines 50 - 53].

* a data selection unit configure to retrieve multimedia data from the plurality of multimedia data managed by the data management unit, according to at least one of the time information and the location information [e.g., the Regional Identifier (col. 4, lines 58-59), the Location Code (col. 15, lines 24-56)] obtained by the processing [e.g., the Primary Index Manager (22, Fig. 1); col. 4, line 66 - col. 5, line 4; col. 5, lines 31-38].

* a retrieval result transmission unit [e.g., the Data Sequencing Interface Unit (30, Fig. 1); col. 5, lines 14-16] configured to provide the multimedia data retrieved by the data selection unit as a retrieval result, through the network to the requestor [see the Data Sequencing Interface Unit (DSI) section at col. 12 - col. 13].

As to claims 2-6, 10-11 and 15-16, Kenner further discloses that the system having the features as claimed by applicant, including:

a) automatically creates a plurality of common index tables (for example, the Audio-visual data index table, the Audio-visual Access list, etc) that contain a plurality of event names, time, and location data for each clip event.[for example, see the table of col. 22, line 52 - col. 23, line 22], such that, the system is able to obtain the event name, time and location information that are related to one multimedia data upon receiving a reverse look-up retrieval request specifying the one multimedia data [e.g. see col. 13, line 66 - col. 15, line 8].

b) a plurality of personal index table for each user [for example, see col. 22, lines 20-44].

Response to Arguments

4. Applicant's arguments filed on 12/23/2003 have been fully considered but they are not persuasive.

Regarding applicant's arguments of U.S.C. 102 rejection that "Kenner completely fails to teach or suggest a system in which a user only needs to enter the event names, and then the relevant multimedia data can be automatically searched by using the corresponding time and location information as a key". The examiner disagrees.

In order for the applicant appreciates the claimed features are fully and clearly disclosed by Kenner, the applicant attention is directed to the section – "BRIEF SUMMARY" at col. 1 of Kenner's, wherein, Kenner specifically points out the following:

"The invention relates to a distributed audio/video clip storage and retrieval system, and more particularly, to a system whereby video material, stored locally and at a remote location, can be requested and retrieved at a user's multimedia terminal with or without sound and associated database information. In a preferred embodiment, the invention provides a system whereby remotely stored audio and video content can be requested and retrieved from a server selected so as to maximize network capacity and minimize transmission delays."

Furthermore, In contrary to applicant's arguments, Kenner further discloses the following at col. 4, lines 55 to col. 5, lines 16:

"In operation, a user first builds a request at a user terminal. The request is transmitted to the user's primary index manager ("PIM") via a local storage and retrieval unit (local SRU). The local SRU attaches a Regional Identifier to the request to assist the PIM to efficiently search for, locate and report on the requested information. The local SRU provides temporary storage for the user's most requested video clips, and before the query is sent to the user's PIM, the local SRU is polled for requested video clips. The user query, amended to contain a Regional identifier and to reflect any local matches, is then forwarded to the PIM."

Kenner further discloses at col. 9, lines 19-23 as following:

" The Regional Identifier Builder component of local SRU 18 attaches a regional code or identifier to each user request. The regional identifier allows the PIM 22 to communicate with specified remote IMs 34, and to determine the locations of requested video clips stored at remote SRUs 38."

Kenner further discloses at col. 12, lines 14-16 as following:

"A DSI 30 is created and/or initialized by PIM 22 whenever a user requests audiovisual information that is not stored within the local SRU."

Art Unit: 2171

Kenner further discloses at col. 15, lines 35-47 as following:

"When the DSI 30 is created, the PIM 22 transmits a data structure that identifies the requested video clips, and the exact locations of each video clip. The data structure is as follows: [Video ID], (IM Address), (SRU Address), (Location Code), (SRU Access Count Rate), (SRU Under-run Count Rate)

The [Video ID], (IM Address), (SRU Address), (SRU Access Count Rate), and (SRU Under-run Count Rate) serve the same functions as previously described. The [Video ID] field is the principle field, with the remaining fields being supporting fields to the [Video ID] field. The (Location Code) is the precise video storage address within the SRU. Since it is possible for each video segment corresponding to a unique [Video ID] to have multiple unique storage locations, the DSI 30 may have multiple records for separate storage locations for that video segment within the DSI's 30 video data download structure. Thus, if one SRU cannot respond to the DSI's command because it is busy downloading audio-visual information to fulfill another request, then the DSI 30 simply retrieves the requested video clip from another location."

Kenner further discloses at col. 16, lines 13-37 as following:

"FIG. 3 provides a summary of how a preferred embodiment of the invention would operate to search and download data. The user first builds a data query at the user terminal 14 from the text database. For example, in the real estate application, the user would specify a selected property criteria from the MLS. Once constructed, the query is transmitted to the PIM 22 via a local SRU 18. The local SRU 18 modifies the query in the following ways: (1) attaches a regional identifier to the query; and (2) searches its own database and flags each request that is stored at the local SRU 18 by appending a Revision Code to the request. The audio-visual data index also specifies the exact locations of the audio-visual data stored at the extended SRUs 26 and, via the remote IMs 34, the locations of video data stored at the remote SRUs 38. The PIM 22 uses the regional identifier to identify which remote IMs 34 contain the requested video segments. Each identified remote IM 34 processes the query, returning a list or summary of available audio-visual references to the PIM 22. The PIM 22 also uses the Revision Code to determine whether the video segment stored at the local SRU 18 is the most current copy available. The PIM 22 subsequently downloads a list of all available video clips to the user's terminal 14, indicating which video clips are immediately available by virtue of the fact that a current copy of the video segment is stored at the local SRU 18."

Thus, based on all the above recitations of Kenner, the Regional Identifier is an index information for guiding the PIM to communicate with specified remote IMs 34, and to determination the locations of the requested video clips stored at remote SRUs 38, such that the requested video clips stored at remote SRUs 38 can be accessed for downloading to the Local SRU via the created DSI 30 structure on the Local SRU 18, wherein, the DSI structure clearly having the Location Code to represent each location at which each multimedia data is created. As such, Kenner completely and successfully teaches or suggests a system in which a user only needs to enter the event names [e.g., the Video ID at the table of col. 22], and then the relevant multimedia data [e.g., the date, time, Segment Info, Link Info, etc. at col. 22, table] can be automatically searched by using the corresponding location information [e.g., the Location Code] as a key at which each multimedia data is created.

As to the rest piece meal arguments, applicant rehash issues already address on record.

Therefore, according to the combined discussions cited above, the examiner maintains the same rejection.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. To expedite the process of re-examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

Art Unit: 2171

Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen, whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Chen

March 05, 2004


UYEN LE
PRIMARY EXAMINER